

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 12599

PERMIT 7667

LICENSE 4803

ORDER CORRECTING PURPOSE OF USE,
PLACE OF USE AND AMENDING THE LICENSE

WHEREAS:

1. License 4803 was issued to F. V. Wood on October 24, 1957 pursuant to Application 12599, and filed with the County Recorder of Lassen County on October 29, 1957.
2. License 4803 was subsequently assigned to Medicine Bow Ranch, c/o Paul Rhoads.
3. A compliance inspection of the project was made on October 5, 1985. The engineer recommended that several license conditions be corrected. The corrections are needed to reduce the reservoir capacity by 150 acre-feet; delete domestic use; addition of incidental stockwatering and recreation uses; and reduce the place of use for irrigation by 700 acres.
4. The license provisions pertaining to the continuing authority of the Board should be updated to conform to the current common law public trust doctrine as contained in Title 23, California Code of Regulations, Section 780(a).
5. The USGS (15') Quadrangle map Karlo shows the POD and POU as being within Sections 13, 23, and 24, T31N, R13E, MDB&M.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The license condition regarding the amount of water collected to storage be amended to read:

Three hundred fifth (350) acre-feet per annum to be collected within the licensed season of November 1 to April 1. The maximum withdrawal in any one year shall not exceed 350 acre-feet.
2. The purpose of use under this license be corrected to read:

Irrigation, stockwatering and recreational uses.
3. The place of use under this license shall be:

Stockwatering and recreational at the reservoir within the S $\frac{1}{2}$ of Section 13, T31N, R13E, MDB&M.

Irrigation of 300 acres as follows:
139 acres within S $\frac{1}{2}$ of Section 13, T31N, R13E, MDB&M;
23 acres within E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 23, T31N, R13E, MDB&M;
138 acres within N $\frac{1}{4}$ of Section 24, T31N, R13E, MDB&M.
300 acres total

4. The continuing authority provisions of this license be amended to read:


Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(0000012)

Dated: JANUARY 31 1989

for 
Walter G. Pettit, Chief
Division of Water Rights

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STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 12599

PERMIT 7667

LICENSE 4803

Notice of Assignment (Over)

THIS IS TO CERTIFY, That **F. V. Wood**
912 Roop Street, Susanville, California

has made proof as of September 27, 1954
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
Pete's Creek in Lassen County

tributary to **Willow Creek**

for the purpose of **domestic and irrigation uses**
under Permit **7667** of the State Water Rights Board and that said right to the use of said water has been
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the
terms of the said permit; that the priority of the right herein confirmed dates from **July 20, 1948**;
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed **five hundred (500) acre-**
feet per annum to be collected from about November 1 of each year to about April
1 of the succeeding year.

It is understood that the waters stored in the reservoir described in this
license shall be collected in accordance with the terms of an agreement between
F. V. Wood and the Tanner Slough Irrigation Association dated September 29,
1949, filed in the office of the State Engineer, October 18, 1949.

The point of diversion of such water is located north thirty-six degrees twenty-four
minutes thirty seconds west (N 36° 24' 30" W) one thousand six hundred thirty-two
and forty-one hundredths (1632.41) feet from SE corner of Section 13, T31N, R13E,
MDB&M, being within SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 13.

A description of the lands or the place where such water is put to beneficial use is as follows:

300 acres in Section 13, T31N, R13E, MDB&M
160 acres in Section 23, T31N, R13E, MDB&M
180 acres in Section 24, T31N, R13E, MDB&M
160 acres in Section 26, T31N, R13E, MDB&M
200 acres in Section 35, T31N, R13E, MDB&M
1000 acres total as shown on map

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

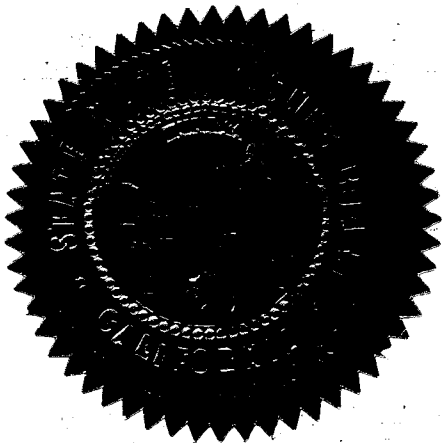
Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: OCT 24 1957

STATE WATER RIGHTS BOARD

By *Leslie C. Jopson*
LESLIE C. JOPSON
Chief Engineer



1-7-58

RECEIVED NOTICE OF ASSIGNMENT TO

Frank & Maude Wood

12-31-63 Name changed to Leland C. Wood and Verna Wood

12-31-63

RECEIVED NOTICE OF ASSIGNMENT TO

Leland C. Wood and Verna Wood

4-31-72

RECEIVED NOTICE OF ASSIGNMENT TO

Chappuis Ranch

5-23-88 Assigned to Paul E. Rhoads

LICENSE 4803

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO F. V. Wood

DATED OCT 24 1957

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